

REMARKS

The office action objects to the disclosure for incorrectly stating Figs. 5 and 8 as opposed to Figs. 5 and 6. Page 5 of the specification as filed has been corrected to traverse this objection.

Claim 1 is also objected to. However, claim 1 has been substantially amended to clarify the translation of this application, the clarify the claimed invention which will make it clear that independent claim 1 and dependent claims 2-8 are allowable over the cited prior art.

Claims 3, 5 and 6 stand rejected under 35 U.S.C. § 112, second paragraph. In response, claims 3, 5 and 6 have all been amended to traverse these rejections.

In summary, claims 1-6 have been amended. The amendments make it clear that both the dummy and active patterns are of a bar-type as illustrated in Fig. 5. The amendments also make it clear that the active and dummy bar-type patterns are all generally parallel with respect to each other, but staggered, as also shown in Fig. 5. The amendments also make it clear that the connecting patterns extend perpendicular to the parallel dummy and active bar-type patterns, as also shown in Fig. 5. And, the amendments also make it clear that the connecting patterns connecting the dummy bar-type patterns are parallel to each other, but offset from one another, also was clearly shown in Fig. 5.

Thus, the clarifying amendments to the claims are clearly illustrated in Fig. 5 of the application as filed. The language of the specification has also been amended to clarify the invention as described in Figs. 5 and 6 and in the specification as filed. In short, no new matter is added by way of any of the amendments to the claims of the specification as the original language, albeit not as clear as the amended language, and Figs. 5 and 6 clearly provide antecedent basis for all amendments made herein.

Turning to the rejections based upon the prior art, claims 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,867,434 ("Oh"). In response, claim 1 has been amended to clearly traverse this rejection.

Specifically, Oh does not teach or suggest the parallel but staggered bar-type patterns for both active bar-type patterns and dummy bar-type patterns as recited in amended claim 1. Oh does not teach or suggest parallel connecting patterns that extend perpendicularly between the bar-type patterns as recited in amended claim 1. Further, Oh

does not teach or suggest the discreet connecting patterns that are parallel to each other, but offset or staggered as also recited in amended claim 1.

Thus, in view of the clarifying amendments to claim 1, Oh no longer serves as an anticipating reference as it no longer comes close to teaching or suggesting every limitation of amended claim 1. Thus, an early withdrawal of the anticipation rejection of claims 1-8 is earnestly solicited.

The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855.

Dated: December 7, 2004

Respectfully submitted,

By 

Michael R. Hull

Registration No.: 35,902

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant